

REMARKS

In the Office Action mailed January 3, 2003, the Examiner rejected claims 1 to 31 and 36 and allowed claims 32 to 35. The rejections are each respectfully traversed. This Amendment "B" cancels claim 36, amends claims 1, 10, 19, 21, 23, 24, and 27, and adds no new claims. Accordingly, claims 1 to 35 are now pending in this application.

Claims 19 and 20 were rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The Examiner stated that "claim 19 cites the limitation that includes the screw has an "axial movement" in line 9 and "such description is not supported by the specification as originally filed and it is not understood how such axial movement can cause the relative movement between the first and second supports." Claim 19 has been amended to correct the item cited by the examiner. Reconsideration and withdrawal of the rejection is requested.

Claims 19, 20, and 24 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The Examiner stated that "claim 19 recites two motors in lines 6 and 10" and "it is indefinite because it is not clear how many motors there are in the claim." The Examiner also stated that claim 24 is "indefinite because it is not clear how many first and second pedals there are." Claims 19 and 20 have been amended to correct the items cited by the examiner. Reconsideration and withdrawal of the rejection is requested.

An indication of allowance of claims 19 and 20 is requested in light of the correction of the section 112 rejections and no prior art being cited against claims 19 and 20.

Claims 1 to 6 were rejected under 35 U.S.C. 102(e) as anticipated by Chapman et al. (US 6,450,061).

Claim 1 and claims dependent therefrom are allowable because they each require "a sensor located on the second control pedal and receiving an input from only the second control

pedal, the sensor sensing the movement of the second support member relative to the first support member". Chapman et al. discloses a pedal system having a switch assembly receiving inputs from both the clutch pedal and the accelerator pedal. No prior art of record reasonably discloses or suggests the present invention as now defined by claim 1. Reconsideration and withdrawal of the rejection is requested.

Claims 8 and 9 were rejected under 35 U.S.C. 102(e) as anticipated by Chapman et al. (US 6,450,061).

Claims 8 and 9 are allowable because they each require "a rotational sensor carried by one of the first control pedal and the second control pedal, and a controller in communication with the sensor to receive signals from the sensor". Chapman et al. discloses a pedal system having a sliding switch assembly to indicate excessive relative movement between two pedal arms. Chapman et al. does not disclose or suggest using a rotational sensor as claimed. No prior art of record reasonably discloses or suggests the present invention as now defined by claim 8. Reconsideration and withdrawal of the rejection is requested.

Claims 10 to 18 were rejected under 35 U.S.C. 102(e) as anticipated by Chapman et al. (US 6,450,061).

Claim 10 and claims dependent therefrom are allowable because they each require "a control system including a sensor adjacent one of the first support and the second support and receiving input from only the control pedal, to sense movement of the second support relative to the first support and a controller in communication with the sensor to receive signals from the sensor". Chapman et al. discloses a pedal system having a switch assembly receiving inputs from both the clutch pedal and the accelerator pedal. No prior art of record reasonably discloses or suggests the present invention as now defined by claim 10. Reconsideration and withdrawal of the rejection is requested.

Claims 21 was rejected under 35 U.S.C. 102(e) as anticipated by Chapman et al. (US 6,450,061).

Claim 21 is allowable because it requires “a sensor carried by one of the first control pedal and the second control pedal and receiving input from only one of the first and second control pedals to sense rotation of the screw of one of the first control pedal and the second control pedal, and a controller in communication with the sensor to receive signals from the sensor”. Chapman et al. discloses a pedal system having a switch assembly receiving inputs from both the clutch pedal and the accelerator pedal. No prior art of record reasonably discloses or suggests the present invention as now defined by claim 21. Reconsideration and withdrawal of the rejection is requested.

Claims 23 to 26 were rejected under 35 U.S.C. 102(e) as anticipated by Chapman et al. (US 6,450,061).

Claim 23 and claims dependent therefrom are allowable because they each require “a sensor located adjacent to one of the second control pedal and the first control pedal and receiving input from only one of the first control pedal and the second control pedal”. Chapman et al. discloses a pedal system having a switch assembly receiving inputs from both the clutch pedal and the accelerator pedal. No prior art of record reasonably discloses or suggests the present invention as now defined by claim 23. Reconsideration and withdrawal of the rejection is requested.

Claims 27 to 31 were rejected under 35 U.S.C. 102(e) as anticipated by Chapman et al. (US 6,450,061).

Claim 27 and claims dependent therefrom are allowable because they each require “a sensor secured to one of the first adjustable control pedal and the second adjustable control pedal and receiving input from only one of the first adjustable control pedal and the second adjustable control pedal to indicate a position of the second support relative to the first support”. Chapman et al. discloses a pedal system having a switch assembly receiving inputs from both the clutch pedal and the accelerator pedal. No prior art of record reasonably discloses or suggests the

present invention as now defined by claim 27. Reconsideration and withdrawal of the rejection is requested.

Claims 36 was rejected under 35 U.S.C. 102(e) as anticipated by Chapman et al. (US 6,450,061). Claim 36 was cancelled without prejudice.

Claims 7 and 22 were rejected under 35 U.S.C. 103(a) as unpatentable Chapman et al. (US 6,450,06). Claims 7 and 22 are allowable as depending from an allowable base claim as discussed above and independently allowable for novel and nonobvious matter contained therein. Reconsideration and withdrawal of the rejection is requested.

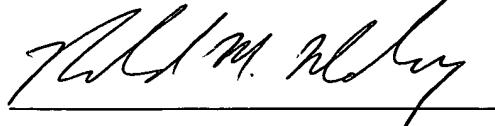
The allowance of claims 32 to 35 is acknowledged.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is found that that the present amendment does not place the application in a condition for allowance, applicant's undersigned attorney requests that the examiner initiate a telephone interview to expedite prosecution of the application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-2326.

Respectfully submitted,
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